P.R. No. 6165/05
Presented by Shri T.K. Sahu
dated 30/11/05

(9)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. NO. 6073 /2005

PETITIONER :- D.D. Sahu son of Shri K.R. Sahu, aged about 49 years, Assistant Teacher, resident of village Karhi Bhader, Tah. & District Durg [C.G.]

VERSUS

RESPONDENTS :- 1] State of Chhattisgarh, through Secretary, Public Instructions and Education Department D.K.S. Bhavan, Raipur [C.G.].

2] District Education Officer, Durg [C.G.].

3] Block Education Officer, Block Balod, District Durg [C.G.].

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(28)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 6073/2005 ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

14-12-2005

Shri T.K. Tiwari, counsel for the petitioner.

Shri Sandeep Dubey, G.A. for the State.

Heard.

The petitioner who is an assistant teacher has filed this petition praying for a direction to the respondents to release the salary of the petitioner during the period from 9-11-1994 to 10-2-1996.

Counsel for the petitioner submitted that the respondent no. 2 – District Education Officer, Durg by order dated 3-9-2005 Annexure P-1 has directed for payment of salary but even then the salary has not been made to the petitioner.

When the matter came up for hearing on 5-12-2005, the learned State counsel was requested to seek instructions.

Learned counsel for the State submits that inspite of the letter and communication, no instructions have been received.

In the instant case, the District Education Officer, Durg has passed the order dated 3-9-2005 Annexure P-1 and the endorsement shows that the payment was directed to be made within a period of one month, but the payment has not been made. There is no justifiable ground for non-payment of the salary.

Having considered the facts and circumstances of the case and material on record, it is directed that the payment be made to the petitioner on or before 31st December 2005.

It is also directed that the State shall get an enquiry conducted to find out as to why the payment was not made and who is responsible for non-payment. The report in this regard be

XI-HC-78

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 6073/2005

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	submitted within six weeks from today to the Addi. Registrar (Judicial). Subject to the directions and observations made above, this petition stands disposed of. M.W.P. No. 4815/2005 and I.A. No. 10,055/2005 also stand disposed of. Certified copy as per rules. Copy to State Counsel for compliance. **Sd/-** **Fakhruddin** **Judge**	